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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

09/924,797

Filing Date

August 8, 2001

First Named Inventor

Dieter Klaubert

Art Unit

1651

Examiner Name

Ralph J. Gitomer

Attorney Docket Number

LJL 139

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☒

Power of Attorney, Revocation
Change of Correspondence Address
(with Copy of Assignment)
Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

☒

After Allowance Communication to TC
(Submission of Rev. & Reapp. of POA ...)

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☐

Other Enclosure(s) (please identify
below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Kolisch Hartwell, P.C.

Signature

James R. Abney

Printed name

James R. Abney, Esq.

Date

December 17, 2004

Reg. No.

42,253

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Renee Knight

Typed or printed name

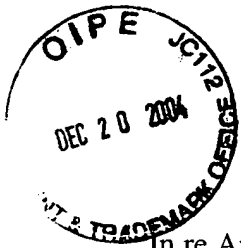
Renee Knight

Date

December 17, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date: December 17, 2004

DIETER KLAUBERT, ZHENJUN DIWU,
GUOLIANG YI, and MARTIN KIRK

Serial No. : 09/924,797

Examiner Ralph J. Gitomer

Filed : August 8, 2001

Group Art Unit 1651

For : METHOD FOR MEASURING
MEMBRANE POTENTIAL

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

**SUBMISSION OF REVOCATION AND
REAPPOINTMENT OF POWER OF ATTORNEY,
STATEMENT UNDER 37 C.F.R. § 3.73(b), AND
ASSERTION OF RIGHT UNDER 37 C.F.R. § 3.71 AND MPEP § 106**

Enclosed for filing in connection with the above-identified patent application is a Revocation and Reappointment of Power of Attorney, Statement Under 37 C.F.R. § 3.73(b), and Assertion of Right Under 37 C.F.R. § 3.71 and MPEP § 106, with copy of Assignment.

Please contact the undersigned attorney with any questions or comments.

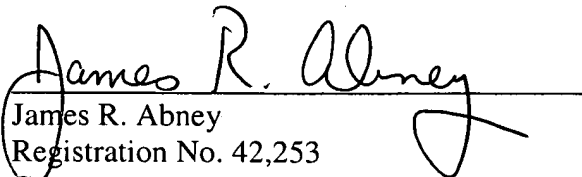
CERTIFICATE OF MAILING

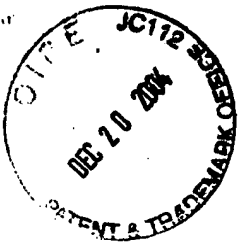
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Renee Knight

Respectfully submitted,

KOLISCH HARTWELL, P.C.


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Registration No. 42,253
Customer No. 23581
520 S.W. Yamhill Street, Suite 200
Portland, Oregon 97204
Telephone: (503) 224-6655
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Attorney for Assignee



**REVOCATION AND REAPPOINTMENT OF POWER OF ATTORNEY,
STATEMENT UNDER 37 C.F.R. § 3.73(b), and
ASSERTION OF RIGHT UNDER 37 C.F.R. § 3.71 AND MPEP § 106**

Applicants: Dieter Klaubert, Zhenjun Diwu, Guoliang Yi, and Martin Kirk
 Serial No.: 09/924,797
 Filed: August 8, 2001
 Title: METHOD FOR MEASURING MEMBRANE POTENTIAL

Molecular Devices Corporation, a Delaware corporation, hereby revokes any and all previous powers of attorney or authorizations of agent given in the above-identified patent application and appoints:

Practitioners at Kolisch Hartwell, P.C., associated with Customer No.: **23581**

as its attorneys and agents to prosecute the above-identified patent application and to transact all business in the United States Patent and Trademark Office connected therewith.

These practitioners currently include:

J. Pierre Kolisch, Reg. No. 15,802; John M. McCormack, Reg. No. 26,948; Peter E. Heuser, Reg. No. 27,902; David P. Cooper, Reg. No. 33,372; Pierre C. Van Rysselberghe, Reg. No. 33,557; Walter W. Karnstein, Reg. No. 35,565; Charles H. DeVoe, Reg. No. 37,305; David S. D'Ascenzo, Reg. No. 39,952; Owen W. Dukelow, Reg. No. 41,002; James R. Abney, Reg. No. 42,253; Mark D. Alleman, Reg. No. 42,257; M. Matthews Hall, Reg. No. 43,653; Christopher S. Tuttle, Reg. No. 41,357; B. Anna McCoy, Reg. No. 46,077; Jason C. Creasman, Reg. No. 51,587; Edward B. Anderson, Reg. No. 30,154; Peter D. Sabido, Reg. No. 50,353; John D. Russell, Reg. No. 47,048; Douglas W. McArthur, Reg. No. 50,795; Stanley M. Hollenberg, Reg. No. 47,658; and Anton E. Skaugset, Reg. No. 38,617.

Molecular Devices Corporation states, under 37 C.F.R. § 3.73(b), that it is the assignee of the entire right, title, and interest in the above-identified patent application by virtue of an assignment from each of the inventor(s) named in the above-identified patent application. Copies of assignments or other documents in the chain of title are attached.

Molecular Devices Corporation hereby asserts its right, under 37 C.F.R. § 3.71 and MPEP § 106, to conduct the prosecution of the above-identified patent application to the exclusion of the named inventor(s) and any previous assignee(s).

DIRECT COMMUNICATIONS TO:

James R. Abney, Esq.
 Kolisch Hartwell, P.C.
 200 Pacific Building
 520 S.W. Yamhill Street
 Portland, Oregon 97204

Telephone: (503) 224-6655
 Facsimile: (503) 295-6679
 E-Mail: abney@khpatent.com

The undersigned (whose title is supplied below) is authorized to act on behalf of the above-identified assignee.

MOLECULAR DEVICES CORPORATION

Date: 12-14-04

Signature: 

Name: J. Richard Sportsman

Title: VP Assay & Reagent R&D

COPY

ASSIGNMENT

Case No.: MBHB01-1071

Serial No.: 09/924,797

Inventors: Dieter Klaubert, Zhenjun Diwu, Guoliang Yi, and Martin Kirk

Date of Execution

of Application:

Filing Date: August 8, 2001

In consideration of One Dollar (\$1.00) and other good and valuable considerations in hand paid, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assign to:

Molecular Devices Corporation, a corporation of the State of California

its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, entitled:

IMPROVED METHOD FOR MEASURING MEMBRANE POTENTIAL

and identified as:

Case No. MBHB01-1071

in the offices of McDONNELL BOEHNEN HULBERT & BERGHOFF and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

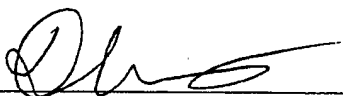
The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorize and request the attorneys of record in said application to insert in this assignment the filing date and serial number of said application when officially known, and the date of execution of the application.

The undersigned warrant themselves to be the owners of the entire right, title and interest in said invention or improvements and to have the right to make this assignment, and further warrant that there are no outstanding prior assignments, licenses, or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation and substitute applications for said invention or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem necessary or expedient, and for the said considerations the undersigned authorize said assignee to apply for patents for said invention or improvements in its own name in such countries where such procedure is proper and further agree, upon the request of said assignee, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain, maintain and enforce said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by the said assignee, its successors and assigns, to the full end of the term for which said Letters Patent will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.

WITNESS my hand and seal this 30 day of August, 2001.



DIETER KALUBERT
KLAUBERT *on*

State of _____

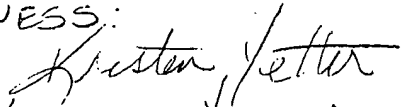
County of _____

The foregoing instrument was acknowledged before me this _____ day of

_____, _____ by _____.

NOTARY PUBLIC

WITNESS:


KRISTEN YETTER
24 VERDE DR
SAN LUIS OBISPO, CA 93405

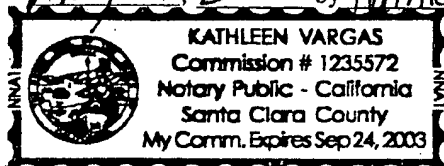
WITNESS my hand and seal this 10th day of August, 2001.

ZHENJUN DIWU
ZHENJUN DIWU

State of California
County of Santa Clara

The foregoing instrument was acknowledged before me this 10th day of

August, 2001 by Kathleen Vargas



Kathleen Vargas
NOTARY PUBLIC

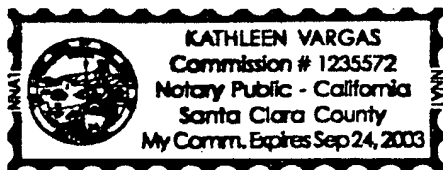
WITNESS my hand and seal this 10th day of Aug 6th, 01.

GUOLIANG YI
GUOLIANG YI

State of California
County of Santa Clara

The foregoing instrument was acknowledged before me this 10th day of

August, 2001 by Kathleen Vargas



Kathleen Vargas
NOTARY PUBLIC

WITNESS my hand and seal this 7th day of September, 2001

Martin Kirk 7/5/01
MARTIN KIRK

State of California

County of Santa Clara

The foregoing instrument was acknowledged before me this 7th day of September, 2001

_____ by Kathleen Vargas



Kathleen Vargas
NOTARY PUBLIC